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06                   UNITED STATES DISTRICT COURT  
07                   WESTERN DISTRICT OF WASHINGTON  
08                   AT SEATTLE

09         UNITED STATES OF AMERICA,                   )                   CASE NO. CR07-222-JCC  
10    )  
11         Plaintiff,                                      )  
12    )  
13         v.    )  
14         PATRICK J. SMITH,                              )  
15    )  
16         Defendant.                                      )  
17    )  
18    )  
19    )  
20    )

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21         Offense charged:     Failure to appear for final revocation hearing

22         Date of Detention Hearing:   January 23, 2012.

23         The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and  
24         based upon the factual findings and statement of reasons for detention hereafter set forth, finds  
25         that no condition or combination of conditions which defendant can meet will reasonably  
26         assure the appearance of defendant as required and the safety of other persons and the  
27         community.

28                   FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

29         1.         On December 12, 2011, defendant admitted violating the conditions of

01 supervised release by using marijuana, using amphetamine, failing to appear for drug testing,  
02 failing to truthful to the probation officer and failing to follow the instructions of his probation  
03 officer. (Dkt. 53.) Defendant was released on an appearance bond. (Dkt. 55.) A disposition  
04 hearing was set before The Honorable John C. Coughenour for January 13, 2012. (Dkt. 54.)  
05 Defendant failed to appear for the hearing and a bench warrant was issued. (Dkt. 56, 57.)  
06 Defendant was arrested and appeared before this Court on January 23, 2012. (Dkt. 58.)  
07 Defendant does not oppose entry of an order of detention pending the final disposition hearing  
08 before Judge Coughenour.

09       There does not appear to be any condition or combination of conditions that will  
10 reasonably assure the defendant's appearance at future Court hearings while addressing the  
11 danger to other persons or the community.

12 It is therefore ORDERED:

- 13     1. Defendant shall be detained pending trial and committed to the custody of the Attorney  
14           General for confinement in a correction facility separate, to the extent practicable, from  
15           persons awaiting or serving sentences or being held in custody pending appeal;
- 16     2. Defendant shall be afforded reasonable opportunity for private consultation with  
17           counsel;
- 18     3. On order of the United States or on request of an attorney for the Government, the  
19           person in charge of the corrections facility in which defendant is confined shall deliver  
20           the defendant to a United States Marshal for the purpose of an appearance in connection  
21           with a court proceeding; and
- 22     4. The Clerk shall direct copies of this Order to counsel for the United States, to counsel

01 for the defendant, to the United States Marshal, and to the United State Pretrial Services  
02 Officer.

03 DATED this 24th day of January, 2012.

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Mary Alice Theiler  
United States Magistrate Judge